

MEMO ENDORSED

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March 19, 2025

Via ECF

Hon. Valerie E. Caproni, U.S.D.J.
United States District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: Lunique Agostini v. Cougar Corporation
Civil Action No.: 1:24-cv-09059-VEC

Dear Judge Caproni:

We represent defendant Cougar Corporation (“Defendant”). This letter is written jointly with counsel for Plaintiff Lunique Agostini to request a sixty-day adjournment of the Initial Pretrial Conference scheduled for April 4, 2025 and all related deadlines (including the March 27, 2025 deadline for the parties’ joint letter to the Court, *inter alia*, providing a brief description of the case and contemplated motions). (See D.E. #5, 12/2/24 Order and Notice For Pre-Trial Conference, ¶ 5). The parties submit that good cause exists to adjourn the April 4, 2025 conference.

Plaintiff alleges that Defendant’s website violates the Americans with Disabilities Act (“ADA”) because it is not accessible to individuals with visual impairments. The parties have conferred in good-faith to discuss Defendants’ ongoing implementation of updates to make its website ADA-compliant. Defendant is continuing those efforts in consultation with Plaintiff. Given these discussions, the parties believe an adjournment of the April 4 conference will enable them to continue to focus on potential settlement efforts, after which further litigation may be unnecessary.

Further, before Your Honor conducts the Initial Pre-Trial Conference, the parties believe it would be beneficial for the Court to refer this matter to Magistrate Judge Figueredo for a settlement conference. If the parties are unable to settle this matter themselves, Judge Figueredo’s assistance will be valuable.

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Pursuant to ¶ 5 of Your Honor's December 2, 2024 Order (D.E. #5), the parties propose that Your Honor adjourn the Initial Pretrial Conference to or near June 6, 2025 at 10:00 a.m. and that they submit the joint letter to the Court by May 29, 2025.

The parties have not previously requested adjournments or extension of time. Should the Court require any information or have any questions, please do not hesitate to contact us.

Respectfully submitted,

/s/ Anthony J. Francioso

Anthony J. Francioso

cc: All Counsel of Record via ECF

Application GRANTED in part. The initial pretrial conference scheduled for April 4, 2025 is ADJOURNED to May 9, 2025 at 10:00 A.M. in Courtroom 20C of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007. The parties' joint letter is due by May 1, 2025.

The Court will enter a referral to Magistrate Judge Figueredo by separate order.

SO ORDERED.

3/19/25



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE